



Slovak Republic

Country Reports on Human Rights Practices - [2001](#)

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The Slovak Republic became an independent state in 1993, following the dissolution of the Czech and Slovak Federal Republic (CSFR). The Constitution provides for a multiparty, multiethnic parliamentary democracy, including separation of powers. Prime Minister Mikulas Dzurinda took office after parliamentary elections in the fall of 1998. President Rudolf Schuster was elected during the first direct presidential elections held in May 1999. Both elections were declared free and fair by the Organization for Security and Cooperation in Europe (OSCE). The Government chose to carry over the entire body of CSFR domestic legislation and international treaty obligations, which still were being renewed or updated. The Constitution provides for an independent judiciary; however, some experts allege that the Ministry of Justice's logistical and personnel authority allows it to exert some influence on the judicial system.

The national police, which fall under the jurisdiction of the Ministry of Interior, are the primary law enforcement agency. In addition to domestic law enforcement, they also have responsibility for border security. The Slovak Information Service (SIS), an independent organization reporting directly to the Prime Minister, is responsible for all civilian security and intelligence activities. A parliamentary commission composed of legislators from ruling and opposition parties oversees the SIS. Civilian authorities generally maintain effective control of the security forces, and the performance of the security forces, particularly the police, improved during the year. However, police and SIS forces committed some human rights abuses.

The country's population was approximately 5,396,000. The country continued to make progress in the transition to a market-based economy, with more than 83 percent of the gross domestic product (GDP) generated by the private sector. The economy is largely industrial, with only 5 percent of the GDP generated by agricultural production. Major exports are iron and steel products, vehicles and automobile parts, audio and video equipment, machinery and transport equipment, petroleum products, and organic chemicals. GDP growth reached 3.1 percent during the first three quarters of the year. The economy's growth is fueled by foreign demand as exports increased by 12.7 percent in the first 11 months of the year. Inflation grew by 8 percent, lower than expected, due to a combination of increases in regulated prices, growing competition on the retail market, and lower than expected domestic demand. Slow growth is largely the result of the failure of the previous Government to implement structural reforms, such as financial sector privatization and industrial restructuring. The per capita GDP was \$3,554 during the year, and provided most of the population with a decent standard of living. The unemployment rate varies between 18 and 19 percent, reaching almost 30 percent in some areas. A disproportionate number of unemployed are Roma, who face exceptional difficulties in finding and holding jobs, partly as a result of discrimination. According to the law, in July 2000, social benefits of those unemployed over 2 years were cut in half. National savings have been transferred to municipalities to pay for community service jobs. More than 64,000 jobs have been created since July 2000, of which over half have gone to the Roma minority.

The Government generally respected the human rights of its citizens, and showed improvement in certain areas; however, problems remained in some areas. In at least one case, the police allegedly killed a Rom. Police on occasion allegedly beat and abused persons, particularly Roma. There have been allegations that surveillance continued on both opposition and government politicians. On at least one occasion the Government used libel laws to suppress criticism of political leaders. There were some limits on the rights of Roma to travel. Violence and discrimination against women remained a problem. Cases of abuse of children and discrimination against the disabled were reported. Some anti-Semitic incidents occurred. Ethnic minorities, in particular Roma, faced societal discrimination. Skinhead attacks on Roma and other minorities continued during the year. Police sometimes failed to provide adequate protection against these attacks or to investigate such cases vigorously. Trafficking in women and children was a problem, particularly among the Roma minority.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of political killings by the Government or its agents; however, there allegedly was at least one death in police custody due to abuse. On July 7, the Mayor of Magnezitovce and his son, who is a police officer, allegedly beat a 51-year-old Rom, Karol Sendrei, and his two sons. The police took the Roma to the police station where they allegedly chained them to a radiator and further beat them. Karol Sendrei reportedly died as a result of the abuse while in police custody. The mayor was suspended temporarily from his post; however, after the charges were dropped against the mayor in November, he was reinstated in his position. The mayor's son was dismissed immediately from the police force and the two officers who took the men into custody were suspended indefinitely for using excessive force. In October Slovak investigators charged seven police officers with the crime of torture and cruelty as well as manslaughter for their role in the killing of Sendrei; the trial was pending at year's end.

In July in response to the death of Karol Sendrei while in police custody, Interior Minister Ivan Simko established new measures to prevent police brutality, including mandatory psychological tests when hiring law enforcement officials, more stringent job requirements, and improved curriculum at preparatory academies, including better training on the appropriate use of coercion. Simko also ordered increased monitoring of police procedures.

The 1999 case of a police shooting of a 21-year-old Rom during an interrogation still was under investigation by independent investigators at year's end. The police officer involved was dismissed for violating the law by interrogating the Rom alone when he had access to a gun; the officer committed suicide in. Independent investigators reconstructed the event and determined that it was unlikely that the Rom in custody was able to remove the gun from the police officer's holster. In October the European Roma Rights Center filed a complaint with the European Court of Human Rights (ECHR).

The former Prime Minister Meciar's party, the Movement for a Democratic Slovakia (HZDS), alleged that the January 1999 killing of Jan Ducky, the former Economy Minister under the Meciar Government and head of the national gas distribution monopoly, was the result of a political vendetta. Ducky was killed in the lobby of his apartment building a week after the authorities filed charges against him for financial mismanagement and illegal property transfers while at the gas monopoly. Interior Minister Ladislav Pittner publicly speculated that Ducky might have been killed to prevent his testimony. In November 2000, the Bratislava district court ruled to halt the criminal prosecution of Ukrainian citizen Oleg Tkoryk for the killing due to lack of incriminating evidence. In April the Bratislava regional prosecutor appealed the ruling, but the Supreme Court rejected the appeal and terminated the criminal prosecution of Tkoryk.

Skinhead attacks against Roma and other minorities that resulted in deaths continued throughout the year (see Section 5).

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, on occasion both national and city police allegedly beat suspects in custody. In March 2000, Roma from the village of Hermanovce signed a petition protesting alleged police humiliation, torture, and sexual abuse. Police investigated the allegations and concluded there was no evidence to support the reports. In July authorities beat a Rom and his sons while in custody; the father died from his injuries (see Section 1.a.).

Police reportedly used pressure and threats to discourage Roma from pressing charges of police brutality (see Section 1.e.). Credible sources stated that at times the police tolerated violence against Roma by not thoroughly investigating attacks against them in a timely and thorough manner or by coercing Roma to refrain from submitting incriminating evidence (see Sections 1.e. and 5.).

Residents of African and Asian origin continued to complain that police failed to investigate fully skinhead attacks against them (see Section 5).

Many of the reports of police misconduct are committed by local police forces. Some activists credibly claimed that a contributing problem is that the local police forces are supervised by the local mayor, not the Interior Ministry.

In January 12 persons, most of whom were formerly members of the SIS, were charged with the violent abduction and torture in 1995 of the former president's son, Michal Kovac, Jr. Former SIS head Ivan Lexa was the primary person accused; however, the Constitutional Court concluded that amnesties granted to Gustav Krajci and a second official involved in the case, Jaroslav Svehota, by former Prime Minister Meciar, shielded them from prosecution. An investigation into the killing was ongoing at year's end. In April 1999, Parliament lifted the immunity of former SIS head Ivan Lexa in five of the seven criminal cases in which he allegedly was implicated, including participation in the kidnaping of the President's son. In September 2000, the Bratislava district court issued an international warrant for the arrest of Lexa, who allegedly had fled the country; Lexa faces several charges, including abuse of power, fraud, and money laundering. Lexa's attorneys have charged that the Government's continued pursuit of their client is unfair on the grounds that he cannot be prosecuted because of Meciar's amnesties. However, the Government's investigation into Lexa's involvement in crimes for which he had not received amnesty continued, and his whereabouts remained unknown at year's end.

Prison conditions generally meet international standards. Men and women are held separately, as are juveniles from adults and pretrial detainees from convicted criminals.

The Government permits visits by independent human rights monitors. Amnesty International occasionally visited prisons. The Slovak Helsinki Committee was in the process of receiving government approval to monitor prisons at year's end.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions.

A person accused or suspected of a crime must be given a hearing within 24 hours and be either released or remanded by the court. During this time, the detainee has the right to an attorney. If remanded by a court, the accused is entitled to an additional hearing within 24 hours, at which time the judge either releases the accused or issues a substantive written order placing the accused in custody. Some critics argue that the initial 24-hour detainment period, during which time investigators must gather all evidence that can be submitted to the prosecutor, is not sufficient and occasionally results in the release of guilty suspects. A Ministry of Justice judicial reform committee recommended lengthening the initial detainment period to 72 hours.

In April 2000, Special Forces broke into the residence of former Prime Minister Vladimir Meciar, and detained and transported him to Bratislava to question him concerning his alleged misuse of authority as a public official. His supporters called the action an excessive use of force and an illegal and politically motivated indictment. Police defended the action and stated that it was in accordance with the law. In October the Prosecutor General concluded that Meciar had not abused his authority and dismissed the charges against him.

Investigative detention may last 18 to 40 days, with further pretrial detention permitted. The total length of pretrial detention may not exceed 1 year, unless the Supreme Court extends it after determining that the person constitutes a serious danger to society.

Pretrial detainees constituted approximately 26.7 percent of the total prison population, and the average pretrial detention period was 7.2 months. The law allows family visits and provides for a court-paid attorney if needed. A system of bail exists. Noncitizens may be held for up to 30 days for identification purposes or for 18 to 40 days in investigative detention. Detainees have the right to see an attorney immediately and are to be notified of this right; however, one nongovernmental organization (NGO) reports that not all detainees are notified of their rights.

The law allows monthly family visits upon request and receipt by detainees of a package of up to 10 pounds every 2 weeks. Attorney visits are allowed as frequently as necessary, and consular visits are allowed upon request by the judge.

The Constitution prohibits forced exile, and the Government does not employ it.

e. Denial of Fair Public Trial

The Constitution provides for courts that are independent, impartial, and separate from the other branches of government; however, some critics allege that the dependence of judges upon the Ministry of Justice for logistical support, the granting of leave requests, and other services undermines their independence. The Ministry of Justice can demote presidents and vice presidents of the courts for any reason, although they remain judges, and it has done so; however, the President of the Supreme Court can only be removed from office through impeachment. Although not specified in legislation, in practice the Judicial Council, an independent organization of lawyers and judges, recommends nominations for presidents of courts, and the Minister of Justice then officially nominates the recommended judge. The Ministry has denied the nomination of only one of the council's recommendations.

In July Parliament passed Constitutional amendments to increase the judiciary's independence; however, the amendments had not been implemented by year's end. The amendments extends the term that judges' serve to life and requires that the Judicial Council nominate the judges instead of the Government. The amendments also define the competencies of the Constitutional Court and extends the terms of judges on the Constitutional Court.

The court system consists of local and regional courts, with the Supreme Court as the highest court of appeal except for constitutional questions. There is a separate Constitutional Court--with no ties to the Ministry of Justice--that considers constitutional issues. In addition there is a separate military court system, the decisions of which may be appealed to the Supreme Court and the Constitutional Court. Under the Constitution, the President appoints Constitutional Court judges to 7-year terms based upon parliamentary nominations. Parliament elects other judges, based on recommendations from the Ministry of Justice, and can remove them for misconduct.

Many activists credibly allege that some judges are corrupt and that adequate safeguards against corruption do not exist; however, they note that the July Constitutional amendments should curtail this corruption in the judiciary.

Under the law, persons charged with criminal offenses are entitled to fair and open public trials, although in practice observers stated that corruption among judges may infringe on a persons right to a fair trial. They have the right to be informed of the charges against them and of their legal rights, to retain and consult with counsel sufficiently in advance to prepare a defense, and to confront witnesses. Defendants enjoy a presumption of innocence. Defendants also have the right to refuse to make self-incriminating statements, and they may appeal any judgment against them. According to existing legislation, suspects are presumed innocent during the appeal process, and if that process lasts more than 3 years, the suspect would be released. Occasionally criminals are released from prison because they have not had a complete trial within the 3-year time limit. Lengthy pretrial detention remained a problem.

Human rights monitors continued to charge that police and investigators are reluctant to take the testimony of witnesses, particularly Roma, regarding skinhead attacks on Roma, and police on occasion have failed to investigate cases of skinhead violence when the skinhead did not admit the crime (see Sections 1.c. and 5). Some NGO's have defended the police, contending that the real fault lies in the law, which states that only evidence that is collected by the investigator in the 24-hour detention period can be considered in the decision on whether to hold the suspect. They also contend that due to financial restraints, police lack modern equipment and are forced to work in substandard conditions that make their jobs increasingly difficult. However, human rights monitors also reported that police used countercharges or threats of countercharges to pressure Roma victims of police brutality to drop their complaints. They also reported that medical doctors and investigators cooperated with police by refusing to describe accurately the injuries involved, and that lawyers often were reluctant to represent Roma in such situations, for fear that this would have a negative effect on their law practice.

Credible sources state that it is increasingly difficult for citizens who are disadvantaged economically to obtain noncriminal legal representation, and therefore it is becoming more difficult for some who may have had their rights infringed upon to take further legal action. The Ministry of Justice has initiated a program in which free legal advice is offered in seven cities every Wednesday for 5 hours; however, a legal NGO has claimed that a more systematic approach is necessary. The practice of Chamber of Advocates leadership encouraging their membership to avoid indigent cases has been eliminated. The Slovak bar association is preparing a program to encourage lawyers to accept pro-bono cases.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law provides for these rights; however, the authorities at times infringed upon these rights in practice. The

Criminal Code requires police to obtain a judicial search warrant in order to enter a home. The court may issue such a warrant only if there is a well-founded suspicion that important evidence or persons accused of criminal activity are present inside, or if there is another important reason. Police must present the warrant before conducting the house search or within 24 hours after the search. Some Roma activists have alleged that on occasion local police detachments have entered Roma premises without a search warrant.

The police law regulates wiretapping and mail surveillance for the purposes of criminal investigation, which may be conducted on the order of a judge or prosecutor only in cases of extraordinarily serious premeditated crimes or crimes involving international treaty obligations. There were allegations in 2000 that SIS surveillance continued on both opposition and government politicians (see Section 2.a). Reports of alleged government surveillance of Roma, particularly related to the large number of Roma emigrating to Western Europe, continued. SMK Chairman Bela Bugár told TV Markiza that SMK members were being monitored and that their telephones were tapped. The founder and chairman of the political party SMER, Robert Fico, also made a similar allegation. There were reports that the Ministry of Interior actively monitored members of the Church of Scientology (see Section 2.c.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respects this right in practice. The media generally are free and uncensored; however, in at least one case during the year, the Government used libel laws to suppress criticism of political or other leaders, and some human rights activists have criticized the section of the Penal Code that prohibits the defamation of the state. Individuals report that they are able to criticize the Government without fear of reprisal.

The Penal Code stipulates that anyone who publicly demonstrates sympathy towards fascism or movements oppressing human rights and freedoms can be sentenced to jail for up to 3 years. In January a woman was charged with supporting and propagating movements and suppressing the rights and freedoms of citizens when she distributed 4,930 copies of Hitler's *Mein Kampf* in Slovakia. On November 9, Parliament passed an amendment to the Penal Code criminalizing the "denial or belittling of the Holocaust."

In June the President made a complaint to the General Prosecutor against Ales Kratky, a writer for the daily *Nový Cas*. In a commentary published on May 26, Kratky wrote that the President's State of the Nation address "indicated signs of mental incapacity to lead a country that is trying to join the modern and developed nations." The Office of the President cited Article 103 of the Penal Code, which stipulates that one who publicly defames the president for the performance of his duties or his activities in public life may be punished by up to a 2-year prison sentence, as the basis for their complaint. The prosecutor's office referred the matter to the police for investigation; the investigation was pending, and no charges had been filed at year's end. On November 9, Parliament rejected by one vote an amendment to the Penal Code to overturn the law that prohibits "defaming the head of the state", the Parliament, the Constitutional Court, and the Government. The amendment's failure permits allow the continued prosecution of Kratsky.

In 1992 a court ordered poet Lubomir Feldek to apologize to former government minister Dusan Slobodnik for describing him unfavorably in a poem and fined him. On July 13, the ECHR ruled in favor of Feldek stating that "it was clear and undisputed that there had been interference with the applicant's right to freedom of expression" and awarded him \$12,000 (SK 600,000).

A new Freedom of Information Act became effective on January 1 that grants citizens access to virtually all unclassified information from national and local government offices. Over 1,000 requests were submitted to the Government during the year and several resulted in lawsuits.

Independent newspapers and magazines regularly published a wide range of opinions and news articles that were distributed nationwide. There were nine national dailies, as well as a sports daily and several weeklies. National dailies are read by approximately 30 percent of the population over age 14. Money has been reallocated to minority groups for the publication of minority language newspapers; however, representatives from these newspapers say that the amount of money has decreased annually, and because there are a growing number of publications competing for this money, the allocated funds are insufficient.

Three boards, appointed by a majority vote of Parliament, supervise radio and television broadcasting. The Slovak Television Council and the Slovak Radio Council establish broadcasting policy for state-owned television and radio. The Slovak Council for Radio and Television Broadcasting issues broadcast licenses and administers advertising laws and other regulations. The Radio and Television Council has made significant progress in fostering the spread of private broadcasting, for which it has issued 27 radio and 78 television and

cable television licenses. Although the potential for political interference exists because Slovak Television and Slovak Radio are reliant on government funds, there have been no reports of such interference during the year. TV Markiza, a private company with a signal covering two-thirds of the country, is the most watched station. The media monitoring NGO Memo and other sources have reported that Pavol Rusko, a partial owner of TV Markiza, who established the political party Alliance of New Citizens (ANO), provides a disproportionate amount of air time to ANO and presents competing parties in a negative manner.

There were complaints that the media failed to represent minorities. The media monitoring organization Memo continued to monitor the media's treatment of minorities during the year and found that, although the electronic media continued to allocate insufficient time to minorities (only a little over 13 hours), there was a slight increase in coverage from 2000. During the year, there were 1,351 neutral, 147 negative, and 20 positive stories about minority issues. The Roma minority continued to be largely absent on talk shows and children's programming; however, the situation improved slightly during the year. On July 18, the Slovak Helsinki Committee published further results of its media monitoring of two television stations and two local newspapers, which was conducted from April to June. The study found that 876 pieces were published on the Hungarian minority, of which 207 were negative, 664 were neutral and 5 were positive, and that 505 articles featuring Roma were published, of which 81 were negative, 414 were neutral and 10 were positive. The STV news program promised to hire a Roma reporter and claimed that they had been looking actively for members of the Roma minority to work as newscasters; however, they had not hired a Roma by year's end.

The Government does not censor books, films, or plays; it also does not limit access to the Internet. Access to the Internet is not widespread, but is more common in the urban areas.

The law provides for academic freedom. The Government does not intervene in the administration and funding of institutions of higher education. The President formally appoints professors on the recommendation of the university to which the professor is to be appointed following the applicant's fulfillment of all university requirements. On occasion the President has refused the nomination; however, there were no such cases during the year. Many of the school administrators who were appointed based solely upon political favoritism during the previous regime have been replaced. The practice of diverting money from the older, then pro-opposition, universities largely has been reversed. The use of bribery by some students to increase their chances for acceptance into some more prestigious faculties is believed widely to result in unequal access to higher education for economically disadvantaged students.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the freedoms of assembly and association, and the Government generally respects these rights in practice.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. No official state religion exists; however, the Catholic Church, the dominant faith in terms of membership, receives significantly larger state subsidies because it is the most populous church.

Registration of churches is not required, but under existing law, only registered churches and religious organizations have the explicit right to conduct public worship services and other activities. However, no specific religions are banned or discouraged by the authorities in practice. In order to register as a religion, a religious organization must collect the signatures of 20,000 permanent residents who adhere to that religion. Although Government support is provided in a nondiscriminatory way to registered religions that seek it, this requirement disadvantages some smaller faiths. The State provides financial benefits, including subsidies for clergy and office expenses, only to the 15 registered churches and religious organizations.

The Government monitors, although it generally does not interfere with, religious "cults" and "sects." However, during the year the Government harassed the Church of Scientology and its members. The Ministry of Interior also actively monitored Scientologists. Several stories have appeared in the media critical of companies that have ties to Scientology, including reports that the Director of the SIS was concerned that a company with close ties to the church of Scientology had won a vote to provide the Government with a new computer system.

In February 1999, police arrested two former high officials in the SIS, former Chief of the SIS Counterintelligence Unit Jaroslav Svehota and Deputy Director of the Surveillance Unit Robert Beno, for involvement in the 1995 effort to discredit the chairman of the Slovak Bishops Conference. SIS involvement in the case was proven, and property was returned; however, the court had not made any rulings regarding

Svechota or Beno by year's end.

By law churches and religious organizations could apply for the return of their property that had been confiscated by the communist government; the deadline for these claims was December 31, 1994. During the year, the Government, municipalities, state legal entities, and under certain conditions, private persons returned property. The Government provided no compensation for damage done to these properties during the previous regime and some properties were returned in an unusable condition. The main obstacles to the resolution of outstanding restitution claims are the Government's lack of financial resources, and bureaucratic resistance on the part of those entities required to vacate restitutable properties. While the Orthodox Church reported that six of the seven properties on which it had filed claims already had been returned, the Catholic Church and the Federation of Jewish Communities (FJC) reported lower rates of success. The FJC is dissatisfied with the Government's failure to discuss compensation for property that belonged to Jewish families who no longer have living heirs.

Despite an order by former Prime Minister Meciar to withdraw a controversial history book entitled the "History of the Slovak Republic and the Slovaks" by Milan Durica, it remains available in schools. The book has been criticized widely by religious groups and the Slovak Academy of Sciences for gross inaccuracies and distortions, particularly in its portrayal of wartime Slovakia and the deportation of Jews and Roma.

In April 2000, the Parliament passed legislation establishing a private Catholic university in the town of Ruzomberok, which officially opened in September 2000. It received a state subsidy of \$200,000 (approximately SKK 9,700,000), which constitutes 70 percent of the school's budget.

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, there were some limits on those rights for Roma.

According to a legal rights NGO, although the law requires state administrators to register all citizens, some local police officers refused to give a registration stamp to Romani citizens, which prevents them from receiving social benefits and housing.

In 2000 approximately 2,419 Slovak citizens applied for asylum in Western and Central European countries, mainly Belgium, Sweden, the Czech Republic, and Denmark; less than 1 percent of such cases were adjudicated in favor of the applicant. During the year, Roma continued to apply for asylum in Western Europe. On April 10, the European Union (EU) implemented a joint visa policy exempting Slovaks citizens from needing visas to travel to EU countries, with the exception of Great Britain and Ireland. In April 108 Slovak Roma applied for political asylum in Belgium; Belgium threatened to reinstate an entry visa requirement. Human rights organizations claim that these asylum seekers migrate in order to receive benefits to pay back incurred debt from high interest loans they have received from moneylenders. Allegedly the moneylenders organize these trips for the Romani families. Illegal high interest moneylending to economically disadvantaged Roma occurred frequently and occasionally resulted in Roma losing all possessions including housing. There were credible reports that this practice has led to the selling of family members in return for debt forgiveness and allegedly has resulted in an increase in the number of Roma women who were trafficked (see Section 6.f.). The Government has not developed a concrete strategy to deal with this problem.

Deputy Prime Minister for Human Rights Pal Csaky is responsible for addressing the problem of asylum seekers. In May a strategy aimed at limited migration of Slovak Roma was presented to the Cabinet; the proposal directed border police to more stringently check travel documents of persons leaving Slovakia. Although this specific clause did not mention Roma directly, there was criticism that this was a government attempt to interfere with the rights of Roma to travel freely. In June Parliament passed this resolution; it was used primarily by the Interior Ministry to create strategies to limit the number of Roma who were emigrating to other European countries.

The law includes provisions for granting of refugee and asylee status in accordance with the provisions of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperates with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees.

The law provides for tolerated residence (first asylum) which allows refugees to remain in the country if their life would be threatened by a forced return to their home country. The Government occasionally adopts specific resolutions in response to a crisis allowing for the temporary acceptance of refugees who do not wish to enter the asylum process. During the year, the Government passed such a resolution for Afghan refugees.

According to the Slovak Migration Office, by year's end, 7,041 persons had applied for asylum. As of November, 2,842 cases were resolved; of those cases, 12 persons were granted refugee status, 2 persons were granted Slovak citizenship; 121 were denied refugee status; and 4,466 cases were stopped in midprocess, most often because the applicant had left the country.

In April 2000, Parliament amended the law on refugees so that asylum seekers are no longer required to register at the migration office within 24 hours of entering the country.

Some refugee claimants had difficulty in gaining access to initial processing. Several NGO's noted that border police participated in several sensitivity trainings throughout the year and that the initial processing has improved as a result.

According to the Slovak Helsinki Committee, refugees faced serious difficulties integrating into society and were often victims of skinhead violence, as well as discrimination when seeking employment (see Section 5).

There were no reports of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully and citizens exercise this right through periodic, free, and fair elections held on the basis of universal suffrage. All citizens over the age of 18 are eligible to vote, and voting is by secret ballot. The Constitution reserves certain powers to the President as Chief of State (directly elected by the citizens), but executive power largely rests with the Prime Minister. Legislative power is vested in the National Council of the Slovak Republic (Parliament).

Prime Minister Mikulas Dzurinda, who took office after free and fair elections in the fall of 1998, heads the country which is a multiparty, multiethnic parliamentary democracy. There are numerous political parties; the Government does not restrict the functioning of political opponents, including the right to publicize political opinions.

In November the country's first regional elections were held; in December the second round of voting for the position of Regional Chair was held. A small number of international observers and a larger group of domestic observers were present during the regional elections and reported that the elections were free and fair with no major problems. Voter turnout was low at 26 percent in the first round, and 22 percent in the second round.

The percentage of women in government and politics does not correspond to their percentage of the population. There are 3 female ministers, 1 of the 9 Constitutional Court judges appointed in November 1999 is a female, and women hold 21 seats in the 150-member Parliament. In the last parliamentary elections, only 273 of the 1,618 candidates (17 percent) were female.

The large ethnic Hungarian minority, whose coalition gained 15 seats in Parliament in the September 1998 elections, is well represented in Parliament and the Government; their percentage of minorities in the Government. One ethnic Hungarian sits on the Constitutional Court. Roma are not represented in Parliament, but a Rom holds the position of Government Commissioner for Roma Issues.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups in general operate without government restriction, investigating and publishing their findings on human rights cases. Government officials are cooperative and responsive to their views. The law requires that NGO's and foundations register and have substantial financial resources in order to operate. This has eliminated some foundations, primarily dormant groups; however, no organization was denied registration or faced any other limitations on their operations. Some NGO leaders continued to allege that the Government at times is unresponsive to their requests.

The National Center for Human Rights, which sponsors conferences, releases publications, and receives \$100,000 (5 million SKK) annually from the state budget, claimed that the Government's attempt to audit the Center as well as to intervene in its programs threatened the Center's independence. Several human rights NGO's have expressed extreme dissatisfaction with the work of the Center and questioned the effectiveness of the Center's use of state funds.

In December Parliament passed a law establishing and outlining the competencies of the first Human Rights Ombudsman; however, the Ombudsman position had not been created by year's end.

In November 1999, Minister of Justice Jan Carnogursky established a Department for the Documentation of Crimes committed by the communist regime. The Department provides legal advice regarding restitution and rehabilitation for imprisonment or persecution during the communist regime. During the year, there were approximately 280 claims registered in the office; no claims were resolved by year's end. Most of the requests were for compensation for unfair job loss and failure to have property restituted. The Department also prepared draft legislation to assist victims of the communist regime.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The law prohibits discrimination and provides for the equality of all citizens; however, enforcement of the law is inconsistent, and different minority groups have reported that their members often receive no government assistance for complaints about discrimination. In September Deputy Prime Minister Csaky's office drafted a comprehensive antidiscrimination law in response to findings in 2000 from a committee that was appointed to examine existing antidiscrimination legislation and determine whether additional legislation is necessary. However, the Government had not passed the legislation by year's end. The committee completed its assignment in December, and found that the Penal Code sufficiently addresses antidiscrimination concerns, but both improved legislation protecting civil rights and better implementation of the legislation was needed.

Women

Violence, particularly sexual violence against women, remained a serious and underreported problem. According to Ministry of Interior statistics, there were 6,379 reports of violent crime against women: 6,309 occurred in the home, and 5,710 occurred in public. There were 632 reports of violence of a sexual nature committed against women: 287 occurred in the home, and 191 occurred in public. In 2000, police statistics indicated that over 70 percent of all violent crime occurred in the home, with 90 percent of the victims being women or children. One NGO's research showed that 38 to 40 percent of women were victims of domestic violence. A national poll from 2000 indicated that as many as one in five women are subjected to some form of physical violence in the home. Police estimate that two-thirds of female rape victims fail to report their cases. Police treat spousal abuse, other violence against women, and child abuse in the same way as other criminal offenses; sections in the criminal code specifically address rape, sexual abuse, and trafficking in women.

The law does not recognize or define the term domestic violence. NGO's criticize existing legislation for protecting aggressors over victims. If a husband or wife is guilty of child or spousal abuse, it is often the victim who is forced to leave the family home. The Ministry of Social Affairs reported that over 40 shelters for women exist; however, NGO's report that there are only 3 shelters that provide assistance and services to abused women and children. Experts from women's NGO's claim that the 40 shelters the Government refers to do not provide adequate assistance to women and children. According to some NGO's, the lack of relevant data on domestic violence is used by police authorities to downplay the extent of domestic violence. Many activists noted that the Government adopted a law in 2000 that addresses specifically abuse of family members.

Prostitution is legal; however, the Code prohibits activities related to prostitution, such as renting apartments for conducting prostitution, spreading sexually transmitted diseases, or trafficking in women for the purpose of prostitution. However, trafficking in women was a problem (see Section 6.f.).

Women are equal under the law. They have the same property, inheritance, and other legal rights as men; however, discrimination against women remained a problem. According to studies, women receive approximately 85 percent of men's wages for similar work; however, the definition of similar work is not defined precisely. On average women earn 22 percent less than men.

The Gender Center for Equal Treatment of Men and Women is an independent NGO that cooperates with the U.N. Development Program and the Government. The Center deals mainly with claims of unfair treatment of women in the workplace; however, it also focused on mobilization and job creation for women. The Government's Coordinating Committee for Women's Affairs, which includes NGO's, has done little to implement the national action plan meant to reduce violence against women, protect women's health, and reduce women's economic disadvantages.

Children

The Government is committed to children's rights and welfare; it maintains a system of public education and medical care. The Ministry of Labor oversees implementation of the Government's programs for children. The Constitution, the law on education, and the Labor Code each address in part the issue of children's rights. There also is a system of assistance payments to families with children. Education is universal, free, and compulsory for 9 years, or until the age of 15; however, this requirement is not enforced strictly, particularly for

the Romani minority. While most ethnic Slovak and Hungarian children attend school on a regular basis, a high percentage of Roma children fail to regularly attend school; the percentage increases the higher the grade level in school.

Child abuse remained a problem and is underreported. Experts from various state institutions dealing with child abuse claimed that there are significant discrepancies between official figures on child violence and the actual situation. During the year, there were 14,450 reports of crimes against children, of which 13,192 were prosecuted. A 1999 survey of over 7,000 children conducted by an NGO offering resources to abused children indicated that 12 percent of children are victims of sexual abuse, while 20 percent are victims of physical abuse. According to available police statistics, cases of child beating and sexual abuse continued to increase. Among the most frequent crimes committed against children were: Nonpayment of child support, sexual violence, and beatings. In the past 10 years, only 127 cases of abused children were reported officially, while the actual number is estimated to be 20 to 30 times greater. According to independent research, 25 percent of all children are punished physically on a regular basis.

Existing legislation appears to place emphasis on parents' rights over children's rights. The law allows parents to place their child in a state-run institution for abandoned children, and as long as contact is maintained once every 6 months, the child remains in the custody of the parents and cannot be adopted. NGO leaders claim that the law protects aggressors before victims. If a husband or wife is guilty of child or spousal abuse, it is often the victim who is forced to leave the family home. However, the law was amended in 1999 to allow children who are victims of physical or sexual abuse to seek assistance and treatment without parental consent.

UNICEF, several NGO's, and other institutions dealing with children's issues have called for amendments to the law on families, particularly regarding relations between parents and children. Although new departments dealing specifically with children's issues have been established in the Ministries of Education and Social Affairs, the Government has not yet created an ombudsman's office to defend children's rights, as UNICEF recommended in 1999. In 2000 the Ministry of Social Affairs established a Commission on the Rights of the Child. The Commission provides information to children regarding their rights and performs the duties traditionally fulfilled by an ombudsman. There are several regional emergency hot line numbers for abused children and one counseling help line. There are five active hot lines, although only one hot line in Bratislava operates on a 24-hour basis.

Child prostitution is not addressed specifically in the Criminal Code, but is covered by more general provisions in the law. The Penal Code was amended in September 1999 to include a provision outlawing child pornography.

Trafficking of girls for the purpose of prostitution was a problem (see Sections 6.c. and 6.f.).

Several activists argue that children are born into poverty with increasing regularity, and that this phenomenon affects the Roma minority in particular. It has resulted in an increased number of abandoned Roma children either at the hospital immediately after birth or during infancy. These children become wards of the state and are sent to orphanages.

Persons with Disabilities

The Constitution and implementing legislation provide for health protection and special working conditions for persons with mental and physical disabilities, including special protection in employment relations and special assistance in training. A 1994 decree provides incentives to employers to create a "sheltered" workplace (i.e., a certain percentage of jobs set aside for persons with disabilities). The law also prohibits discrimination against persons with physical disabilities individuals in employment, education, and the provision of other state services; however, experts have reported that discrimination in the accessibility of premises and access to education (particularly higher education) is a problem, and in 1998 the quotas for mandatory hiring of persons with disabilities were lowered in accordance with employers' wishes.

Although not required specifically by law, a government decree mandates accessibility for new public building construction. The decree provides for sanctions but lacks a mechanism to enforce them. A spokeswoman for an NGO dealing with persons with disabilities has stated that due to pressure from a number of NGO's and the willingness of the Dzurinda Government, accessibility has been improving, particularly regarding new construction; however, many barriers remained. NGO's complained that other legislation, including the provision of jobs for persons with disabilities, often is ignored.

Religious Minorities

Anti-Semitism persists among some elements of the population. Despite protests by the Federation of Jewish Communities and Slovak National Party members, the official Slovak cultural organization Matica Slovenska continued their efforts to rehabilitate the historical reputation of Jozef Tiso, the leader of the Nazi-collaborationist wartime Slovak state. On March 14, a marginal nationalist party, Slovak National Unity (SNU), held a rally to commemorate the 62nd anniversary of the founding of the wartime Slovak state. Approximately 100 persons, including a number of skinheads, attended the rally. Also in March in Poprad, an unknown offender threw an explosive device near the site of a rally of approximately 100 persons held to commemorate the first deportation of Jewish women and girls from the country to Nazi concentration camps.

In March unknown persons vandalized a Jewish cemetery in the town Vranov and Toplou. In May unknown persons desecrated the Jewish cemetery in Levice for the sixth time in the past 6 years. The Jewish community appealed to the mayor of Levice to properly investigate this incident, and the local authorities began an investigation; however, no arrests were made by year's end. In June 58 tombstones were damaged in a Jewish cemetery that was declared a cultural heritage site, in the town of Levice. On July 7, in the town of Zvolen, unknown persons irreparably destroyed five historically valuable gravestones in addition to six other gravestones. An investigation into this incident continued at year's end.

In August activists from People Against Racism filed a complaint against the operators of the website Whitefront, which contains Nazi and fascist propaganda. They also filed a complaint against a musical skinhead group called Judenmord (Murder of Jews), which has participated in several concerts in the country as well as in the neighboring Czech Republic.

In February 2000, the Ministry of Education and the Institute of Judaism undertook a joint educational project on Jewish history and culture that is targeted to elementary and high school teachers of history, civic education, and ethics. This project is intended to assist in educating the public about Jewish themes and increase tolerance toward minorities. September 10 was celebrated as a memorial day to victims of the Holocaust.

Numerous applications that were filed with the state for compensation for citizens who were deported to German controlled concentration camps during World War II continued to be processed at year's end. Some victims have received compensation.

National/Racial/Ethnic Minorities

The Constitution provides minorities with the right to develop their own culture, receive information and education in their mother tongue, and participate in decisionmaking in matters affecting them, although there is no comprehensive law against discrimination; however, violence and discrimination against minorities, particularly Roma, continued. The Government continued to provide funding for cultural, educational, broadcasting, and publishing activities for the major ethnic minorities, but at greatly reduced levels.

A 1999 minority language law provides for the use of minority languages in official activities. According to the law, in places where a minority group constitutes at least 20 percent of the population, the minority language can be used in contacts with government officials. At the time, the law was deemed acceptable by the OSCE High Commissioner on National Minorities and the EU; however, all members of the Hungarian coalition voted against the law because they felt that it did not ensure that the provisions in the new law would take precedence over the existing state language law, and that the new law did not protect the use of Hungarian in cultural and educational activities. In July the Government ratified the European Charter on Minority Languages.

The largest minority group is the ethnic Hungarian minority. It is concentrated primarily in the southern part of the country, and its population was registered at approximately 568,700 at the end of 1999 (150,000 of whom are thought to be Roma who speak Hungarian and choose to declare themselves as ethnic Hungarian). In 1999 the Slovak Government and the Government of Hungary jointly established a commission to deal with the treatment of ethnic minorities; the commission meets on a regular basis and was active in negotiating the European Charter on Minority Languages. Most ethnic Hungarians and ethnic Slovaks living in mixed areas continued to coexist peacefully, but there have been occasional expressions of anti-Hungarian sentiments by Slovak nationalists. Tensions increased during the year as a result of a 3-week televised parliamentary debate surrounding the passage of constitutional amendments containing strong anti-Hungarian undertones. As the issue of decentralization was discussed, the SMK threatened on several occasions to leave the Government. On March 15, SNS called on the Office of the Prosecutor General to initiate criminal prosecutions of Slovak politicians who attended the celebrations of the 100th anniversary of the birth of Janos Esterhay at the Hungarian Parliament. SNS Chair Anna Malikova accused the SMK representatives of committing the crime of supporting movements that oppress human rights and freedom when they attended the celebrations. The investigation continued at year's end.

The level of anti-Hungarian vandalism increased significantly during the year. In March a "No Hungarians" symbol was painted on the Hungarian Consulate in Kosice, and Hungarian high schools and theaters were covered with anti-Hungarian graffiti. Also in March in Bratislava, a window in a Hungarian-speaking high school was broken and the slogans "Hungarians Go Home" and "Disband the SMK" were spraypainted on a statue of Hungarian poet Sandor Petofi.

Higher educational opportunities for ethnic Hungarians are insufficient and only 2.7 percent of ethnic Hungarians in the country attend university (compared to 4.8 percent of Slovaks). Ethnic Hungarians claim many ethnic Hungarian students choose to attend university in Budapest because they want to study in Hungarian. Some Hungarians complain that, although they fulfill all the responsibilities required by the Government, such as payment of taxes, and mandatory military service, they still do not receive equal educational opportunities.

Ethnic Slovaks who reside in southern Slovakia, where ethnic Hungarians comprise the majority, complained that it is more difficult for them to locate employment if they do not speak Hungarian.

Roma constitute the second largest ethnic minority, estimated by experts to number up to 500,000 citizens, although according to a census taken during the year, the Government officially reported 90,000 Roma in the country. Police on occasion beat Roma, and in a 1999 case allegedly shot a Rom during questioning at a police station (see Sections 1.a. and 1.c.). Roma suffer disproportionately from high levels of poverty and unemployment. Credible reports by human rights monitors indicated that Roma continued to suffer from discrimination in employment, housing, schooling, health care, and the administration of state services. Discrimination is most severe in the eastern part of the country, where unemployment is higher and the Romani population is larger. Among Roma living in settlements in the east, the unemployment rate is nearly 100 percent. In urban areas in the east, incidents of Roma being denied admission to certain hotels, restaurants, and swimming facilities were reported widely. According to the Office for Protection of Legal Rights (KPO), Roma often are segregated in hospitals, particularly in maternity wards, and some say Roma receive inferior care. In July 2000, the Ministry of Health stated that it would investigate these claims and would ensure that all citizens receive equal care and that wards are not segregated; the Ministry continued its investigation at year's end. The practice of unemployment offices identifying Roma in their records by placing an "R" next to their name in the register was eliminated by order from the National Labor Bureau in 2000. Romani children disproportionately are placed in special schools for the mentally retarded in many cases due to their insufficient knowledge of the Slovak language. At year's end, the Ministry of Education was investigating these claims.

In 1999 the Cabinet approved a new program which aims to address the problems of the Roma minority. On October 2, the Government gave 88 flats, which were built in Presov by the local council with the help of the EU, to primarily Romani families. In addition to earlier budgetary allocations for the Roma minority, the Cabinet allocated \$4 million (SK 200 million) for social housing construction and \$1.5 million (SK 72 million) from Cabinet reserves to complete an elementary school in the Lunik 9 settlement.

On June 20, Klara Orgovanova was elected to become the new Special Government Commissioner for Roma Issues. The Roma Plenipotentiary for Roma Communities focused its efforts on improving education, living, employment and human rights in 30 eastern Slovak Roma settlements. It also created an Interministerial Committee and launched a public relations campaign to improve the image of the office and the Roma minority in general. The budget for the Plenipotentiary office was \$625,000 (SK 30 million). Some NGO's alleged that this office lacks sufficient authority because the position is not established by law and lacks the authority to present material to the Government. The office also does not receive its own chapter in the state budget and is dependent on receiving funding from the Office of the Deputy Prime Minister for Human Rights and National Minorities.

On January 17, the Government directed that all bilingual census forms be published in the Slovak and Romany languages, and the forms were used in areas where the minority population was more than 20 percent. However, activists complained that of the 2,200 census commissioners that were appointed, only 100 were Roma. Several Roma organizations launched a public relations campaign to explain the importance for the Roma population to be truthful about their ethnicity in the census; these organizations feared that non-Roma commissioners would persuade Roma to claim another ethnicity. Despite these efforts, only 90,000 Roma claimed Roma ethnicity. Experts claim these results reflect a greater underrepresentation of the actual number of Roma than the 1991 consensus.

In August 2000, SNS Member of Parliament Vitazolslv Moric proposed setting up reservations for Slovak Roma who refuse to assimilate into society. He further stated, "It is clear that many mentally retarded persons are born into Romani communities, why should the State allow a moron to create another moron and thus raise the percentage of morons in our nation?" In response to his statements, the Slovak Romani Initiative (RIS) filed a suit with the General Prosecutor against Moric. In September 2000, Parliament voted to lift his

parliamentary immunity, thus allowing criminal prosecution on the grounds of instigating racial hatred. In January the Bratislava District Court Prosecutor cancelled the legal prosecution of Moric citing a lack of evidence; however, an investigation into the incident continued at year's end.

A poll published in January that surveyed 1,046 persons concluded that public opinion towards Roma appeared to be more tolerant. For example, 66 percent of the population would not want to have a Roma neighbor, compared to 86 percent in a 1999 poll. The poll also indicated that persons under 30 years of age are more tolerant towards Roma than older persons. On February 26, more than 2,000 inhabitants of Medzilaborce signed a petition opposing the resettlement of five Roma families into their town. The Mayor strongly criticized the petition stating that it was unconstitutional, and some Roma families were resettled in Medzilaborce.

Skinhead violence against Roma was a serious problem, and human rights monitors reported that police remained reluctant to take action and at times tolerated such attacks. Occasionally police also infringed on Roma rights to social benefits and housing (see Section 2.d.). Attacks against Roma continued and some human rights NGO's that assist victims reported a significant increase in their caseloads. During the year, such violence received increased media attention. Members of Zebra, an organization representing interracial marriages, stated that citizens of racially mixed background are denied equal access to opportunity. They claimed that skinhead violence decreased during the year, and that police better protected citizens of color from this violence. The NGO, People Against Racism, also claimed that police better protected minorities and better monitored the skinhead movement.

During the year, the police recorded 40 racially motivated attacks of which the police solved 23 cases. Ten of these attacks occurred in Bratislava, and 12 attacks occurred in Trenčin. The Roma were the most frequent targets of these attacks. The 23 resolved cases implicated 40 offenders, the majority being skinheads and under 18 years of age.

On April 28, a 30-year-old man with darker skin from southern Slovakia died after being stabbed in the heart by a group of skinheads. Police arrested three suspects; two of them were released later and one remained in custody at year's end. The same evening a group of skinheads attacked two men aged who were neither foreigners nor Roma; they were hospitalized with serious injuries. Police believed that the same perpetrators were involved in both events and detained several suspects; however, they all were released eventually and the case was closed.

On September 30, a group of approximately 50 skinheads attacked a 20-year-old Roma, Marek Balasz; he was hospitalized with a concussion and several broken fingers. A 25-year-old man was arrested and charged after he confessed to the crime and told police that "he is a skinhead and hates gypsies."

On July 21 in Kľacany, a group of masked men beat a group of Roma with baseball bats. Two of the Roma were hospitalized with serious injuries. The police closed the case because they were unable to locate the suspects.

On March 29, a Bratislava District Court found a 17-year-old skinhead, Tomas Bugar, guilty of committing a racially-motivated crime in 2000. He was not given a prison sentence because the judge cited mitigating circumstances, including the young age of the defendant, his apparent regret during the court procedures, and his confession.

In August 2000, Anastazia Balazova, a Roma woman, died of injuries from a beating by unknown assailants in her Zilina home. On March 30, the District Military Court in Banská Bystrica sentenced the chief defendant in the crime, Peter Bandur to 7 years in prison on a charge of involuntary manslaughter. On August 31, a Zilina court handed down prison sentences between 3 and 5 years for another three men involved in the attack whom were found guilty of trespassing, but not guilty of a racially motivated murder, despite the fact that one defendant admitted sympathizing with the skinhead movement.

There was no progress during the year in a number of 2000 cases of violence against Roma, and others including, an August case in which Rom Jan Sudman was shot and injured while doing clean-up work in the public works program; a July case in which a group of 50 Roman armed with machetes, knives, axes, and iron rods allegedly forced a moving car to stop and attacked one of its occupants; a March case in which approximately 20 supporters of the skinhead movement attacked 2 Brazilians and 2 Angolans in Bratislava; and a January case in which a group of skinheads beat an African American citizen. Many cases of skinhead violence that occurred in 1999 were dropped due to lack of witnesses.

On September 29, over 150 Slovak police officers raided a neo-Nazi concert in Papradno and arrested 89

skinheads on the suspicion of propagating fascism. The skinheads were taken into custody, and later released without being charged. In September after the police raid, the police organized an international conference addressing strategies to eliminate extremism.

In 2000 Roma citizens established their own police patrols in the largely Roma-populated Kosice suburb, Lunik IX, because of the alleged inability of local police to protect effectively the area. The Roma police patrols continued to be active and effective.

The statistical office no longer categorizes Ruthenians and Ukrainians as one group. During the 2001 census, 11,000 citizens registered themselves as Ukrainians, and 24,000 registered themselves as Ruthenians. Ruthenians disagree that they are Ukrainians, and that their language is only a Ukrainian dialect. There is a television broadcast in Ruthenian on STV, which is aired once every 2 months. In addition the Ruthenian minority receives state funding to publish a biweekly newspaper in Ukrainian (see Section 2.a.). A representative of the Ruthenian Revival Organization stated that Ruthenian language instruction is provided in two schools in the northeast. There is an Institute for Minority Languages at Presov University. Two instructors at the Institute teach Ruthenian culture and language.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for the right to form and join unions, except in the armed forces, and workers exercise this right. Approximately 45 percent of the work force is unionized. Unions are independent of the Government and political parties; however unions continued to lobby those entities in order to gain support for union positions on key labor issues.

The Constitution provides for the right to strike; however, according to this law, a strike is legal and official only if it is for the purpose of collective bargaining; if it is announced in advance; and if a list of strike participants is provided. The national statistical office reported no official strikes during the year; however, a number of strike alerts and unofficial strikes continued during the year. For example, the Union of Teachers and Scientists organized a strike over a salary dispute, but a compromise was reached before the strike occurred. Many of these actions anticipated layoffs or protested the nonpayment or partial payment of salaries due to restructuring of the company or insolvency. Local unions also held strike alerts. There were no instances of retribution against strikers or labor leaders. Relevant legislation on collective bargaining prohibits the dismissal of workers legally participating in strikes; however, if a strike is not considered to be official, strikers are not ensured protection.

Unions are free to form or join federations or confederations and to affiliate with and participate in international bodies, and do so in practice.

b. The Right to Organize and Bargain Collectively

The law provides for collective bargaining. Following the September 1998 parliamentary election the KOZ decided to reenter tripartite negotiations with employers and the Government; however, unions have expressed dissatisfaction with the Government, claiming that it has not included them in important decisionmaking and does not give adequate attention to their demands.

The law on citizens' associations prohibits discrimination by employers against union members and organizers. Complaints may be resolved either in collective negotiations or in court. If a court rules that an employer dismissed a worker for union activities or for any reason other than certain grounds for dismissal listed in the Labor Code, the employer must reinstate the worker. There were no reports of abuses targeted against unions or workers.

In July 2000, the Railway Workers, with the support of the International Labor Organization (ILO), appealed to the Government to amend the Act on Collective Bargaining to lower the quorum of employees necessary for the declaration of a strike and to eliminate the requirement that a list of employees participating in a strike be provided to the employer. Although the Government has developed draft amendments, no agreement has been reached to date.

The law regulates free customs zones and customs warehouses. Firms operating in such zones must comply with the labor code; there have been no reports of special involvement by the trade unions to date. No special legislation governs labor relations in free trade zones.

c. Prohibition of Forced or Compulsory Labor

Both the Constitution and the Employment Act prohibit forced or compulsory labor; however, trafficking in women for the purpose of prostitution is a problem (see Section 6.f.). The Ministry of Labor, Social Affairs, and Family, as well as district and local labor offices, have responsibility for enforcement of the law.

Both the Constitution and the Employment Act prohibit forced or compulsory labor by children; however, trafficking in girls for the purpose of prostitution was a problem (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

The law sets the minimum employment age at 15 years. Workers under the age of 16 years may not work more than 33 hours per week; may not be compensated on a piecework basis; may not work overtime or night shifts; and may not work underground or in specified conditions deemed dangerous to their health or safety. Special conditions and protections, though somewhat less stringent, apply to young workers up to the age of 18 years. The Ministry of Labor enforces this legislation, and there were no reports of violations.

The Constitution and the law prohibit forced and bonded labor by children; however, trafficking in girls for the purpose of prostitution was a problem (see Sections 6.c. and 6.f.).

e. Acceptable Conditions of Work

The minimum wage was \$105 (4,920 SK) per month during the year; even when combined with special allowances paid to families with children, the minimum wage does not provide a decent standard of living for a worker and family. The Ministry of Labor is responsible for enforcing the minimum wage; no violations were reported. The standard workweek mandated by law is 42.5 hours, although collective bargaining agreements have achieved reductions in some cases (most often to 40 hours). For state enterprises, the law requires overtime pay up to a maximum of 8 hours per week, and 150 hours per year, and provides 5 weeks of annual leave. Private enterprises can compensate their employees for more hours of overtime than stipulated by the law. There is no specifically mandated 24-hour rest period during the workweek. The trade unions, the Ministry of Labor, and local employment offices monitor observance of these laws, and the authorities effectively enforce them. Unions supported amendments made to the Labor Code during the year; however, there were allegations that the amendments may infringe on the freedom of association for employees who are not union members. The amendments require companies to create a board of employees to represent employee right, and prohibit discrimination.

The Labor Code establishes health and safety standards that the Office of Labor Safety generally enforces effectively. For hazardous employment, workers undergo medical screening under the supervision of a physician. They have the right to refuse to work in situations that endanger their health and safety and may file complaints against employers in such situations. Employees working under conditions endangering their health and safety for a certain period of time are entitled to paid "relaxation" leave in addition to their standard leave.

f. Trafficking in Persons

The law specifically prohibits all forms of trafficking in persons however, there were instances of trafficking in women and girls for prostitution. The country is a country of origin, a transit country, and a destination country for such victims of trafficking. Some NGO's estimate that 1,500 to 2,000 girls and young women are trafficked abroad into prostitution each year. The problem received more public attention during the year, but it is still likely that there are more cases than those that are documented. Some observers claim that Bratislava has become an important transit station in the trafficking of women and children. The number of trafficking cases appeared to be on the rise, particularly among the Roma community.

According to an International Organization for Migration (IOM) survey conducted in numerous Slovak Embassies in various countries, an increasing number of Slovak women are trafficked to southern European countries, particularly Spain (26 cases reported in 1998 and 1999), Greece (23 cases), and Italy (12 cases). According to a report on trafficking in women issued by the Swedish National Criminal Investigation Department in March 1999, women from the Slovak Republic work in Sweden as prostitutes. There also were reports that Slovak women were trafficked to Western Europe with promises of work as models, waitresses, and au pairs. Their passports allegedly were confiscated, and they allegedly were forced to work in adult entertainment clubs or as prostitutes. Women also are trafficked to Austria and Slovenia for sexual exploitation.

A report issued during the year by the Ministry of Interior stated that the Slovak Republic is a transit country for persons being trafficked from Ukraine and Russia mainly to Austria, the Czech Republic, and Germany for the purpose of prostitution. Some women from Russia and Ukraine reportedly were trafficked through the Slovak Republic on their way to countries such as Turkey, Greece, Italy, Germany, and Serbia, where they also were forced to work as prostitutes.

Although previously the Slovak Republic primarily was a country of origin, increasingly women from less prosperous eastern countries (including Russia, Belarus, Ukraine, Romania, and Bulgaria) find themselves trafficked through and to the Slovak Republic. Women, mostly Ukrainian and Russian, are lured to Slovakia with the promise of work as domestic servants or waitresses. However, when they arrive, their documents allegedly are stolen and they are forced to work as prostitutes or in nightclubs and threatened with violence if they attempt to escape. Young women also are recruited through agencies (which offer false opportunities) or through personal contacts of owners or employees of hotels, casinos, entertainment or prostitution establishments.

There is no evidence of government involvement in or tolerance of trafficking, and the Ministry of Interior is involved in activities to combat trafficking. The Ministry of Interior sponsored training for the Customs Directorate, the Migration Office, and the police to identify and handle cases of victims of trafficking.

In 2000 the Ministry of Interior reported that there were 13 documented cases of Slovak women being forced into prostitution in other countries or foreign women being forced into prostitution in the Slovak Republic during the year, of which 11 were resolved. In some cases, the investigation resulted in no evidence and the case was closed, while in other instances, the case was resolved by convicting the perpetrator. A case can be documented and opened either when a trafficked person files a complaint with the police or when the police initiate a criminal investigation against a suspected trafficker. The Penal Code specifically prohibits trafficking in women for sexual exploitation, with a prison term of between 3 and 5 years. There were nine recorded cases of trafficking and the Government prosecuted five of the cases.

In July 2000, an 18-year-old Roma girl from Hencovce allegedly was kidnaped, taken to the Czech Republic where she was sold for \$93 (SK 4,500), and forced into prostitution. This case was pending at year's end. Other Roma women have reported similar stories.

According to the IOM, the Government does not assist victims by providing temporary to permanent residency status. Victims are provided temporary relief from deportation through admittance to a detention center where they can remain for 30 days while their case is investigated, at which time the person usually is sent to their country of origin. NGO's and the IOM reported that victims feared returning to their home countries because of the stigma attached to trafficking victims. There is very little legal, medical, or psychological assistance for victims of trafficking. According to NGO activists, government agencies such as customs and police officers treat victims poorly since many law enforcement officials believe that victims were not forced, but rather chose their fate.

There are only a few NGO's or organizations that have as their main purpose the provision of support to victims of trafficking; however, the NGO Fenestra provides support for these victims. One NGO, supported by the Government, conducted a prevention campaign in the city of Zilina; they distributed posters, stickers and pamphlets discussing the dangers of trafficking in secondary schools.